

REMARKS

Election/Restrictions

The Examiner has required restriction between the following groups:

Group I: claims 41-51, 65-67, 70, 71 and 74, drawn to a composition for the delivery of gaseous nitric oxide, comprising a carbohydrate compound.

Group II: claims 41, 52-60, 65, 66, 68, 70, 72 and 74, drawn to a composition for the delivery of gaseous nitric oxide, comprising an alcohol compound.

Group III: claims 41, 61-66, 69, 70, 73 and 74, drawn to a composition for the delivery of gaseous nitric oxide, comprising a modified amino acid, peptide, polypeptide or protein.

Group IV: claim 75, drawn to a method for the treatment, alleviation or prevention of a condition chosen from those as instantly claimed.

Applicants hereby provisionally elect **Group II**, drawn to a composition for the delivery of gaseous nitric oxide, comprising an alcohol compound, for continued examination, with traverse. Applicants respectfully assert that a search of all groups would not present an undue burden on the Office. Reconsideration is respectfully requested.

Species Election

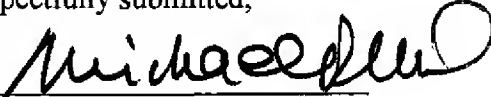
In the event Group II is elected, the Examiner has further required a species election of a single disclosed alcohol from within claims 54, 46, 58, or 60. Applicants believe that the listing of claims (particular claim 46, which the Examiner did not recite as being in Group II) contains one or more typographical errors and that the Examiner intended the list to further include at least claim 56. Based on this understanding, Applicants provisional elect the alcohol species **1,2-propanediol**, which is specifically listed in claim 56.

CONCLUSION

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No.: 03-1952** referencing **514862003100**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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